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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|----------------------|-----------------------|-------------------------|------------------|
| 10/780,375 | 02/17/2004 | Michael Eugene Broach | 50019.261USI1/P05695P01 | 1831 |
| 23552 7590 02/08/2007 MERCHANT & GOULD PC P.O. BOX 2903 | | | EXAMINER | |
| | | | HOLLINGTON, JERMELE M | |
| MINNEAPOLIS, MN 55402-0903 | | | ART UNIT | PAPER NUMBER |
| | | | 2829 | |
| | | | | |
| SHORTENED STATUTOR | Y PERIOD OF RESPONSE | MAIL DATE | DELIVERY MODE | |
| 2 MONTHS | | 02/08/2007 | PAPER | |

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

| | Application No. | Applicant(s) | | | |
|--|---|---|--|--|--|
| | 10/780,375 | BROACH ET AL. | | | |
| Office Action Summary | Examiner | Art Unit | | | |
| | Jermele M. Hollington | 2829 | | | |
| The MAILING DATE of this communication app | ears on the cover sheet with the o | orrespondence address | | | |
| Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DA - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period w - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b). | ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tir will apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE | N. mely filed the mailing date of this communication. ED (35 U.S.C. § 133). | | | |
| Status | | | | | |
| 1) ⊠ Responsive to communication(s) filed on 24 January 2007. 2a) ☐ This action is FINAL. 2b) ☐ This action is non-final. 3) ⊠ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. | | | | | |
| Disposition of Claims | | | | | |
| 4) ⊠ Claim(s) 16-20,22,23,25,26,28,29,31 and 32 is 4a) Of the above claim(s) 1-15 is/are withdrawr 5) ⊠ Claim(s) 16-20,22,23,25,26,28,29,31 and 32 is 6) □ Claim(s) is/are rejected. 7) □ Claim(s) is/are objected to. 8) □ Claim(s) are subject to restriction and/or | n from consideration. s/are allowed. | | | | |
| Application Papers | | | | | |
| 9) The specification is objected to by the Examine 10) The drawing(s) filed on is/are: a) accomplicated any not request that any objection to the Replacement drawing sheet(s) including the correct 11) The oath or declaration is objected to by the Example 11. | epted or b) objected to by the drawing(s) be held in abeyance. Se tion is required if the drawing(s) is ob | ee 37 CFR 1.85(a). ojected to. See 37 CFR 1.121(d). | | | |
| Priority under 35 U.S.C. § 119 | | • | | | |
| 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: Certified copies of the priority documents have been received. Certified copies of the priority documents have been received in Application No Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. | | | | | |
| Attachment(s) | | | | | |
| 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date 11/06. | 4) Interview Summar Paper No(s)/Mail [5) Notice of Informal 6) Other: | Date | | | |

Application/Control Number: 10/780,375

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DETAILED ACTION

1. This application is in condition for allowance except for the following formal matters:

Canceling claims 1-15 since the claims are nonelected invention due to the restriction requirement filed with transverse on July 29, 2005.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Allowable Subject Matter

- 1. Claims 16-20, 22-23, 25-26, 28-29 and 31-32 are allowed.
- 2. The following is an examiner's statement of reasons for allowance: the reasons for the allowance of the claims are due to amending of the independent claims 16 and 19 and the persuasive arguments by the applicants regarding the amending independent claims, which reads over the prior art provided by the examiner.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jermele M. Hollington whose telephone number is (571) 272-1960. The examiner can normally be reached on M-F (9:00-4:00 EST) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ha Nguyen can be reached on (571) 272-1678. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jermele M. Hollington
Primary Examiner
Art Unit 2829

JMH January 24, 2007